PETITION FOR ZONING VALIANCE 84-149-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby position for a Variance from Section 1 BO 2 3.C. 1 to ; mit a side yard set-ATTACHMENT 1 back of 15.5 feet instead of the required 25 feet. BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE SW Corner of Church & School Rds. physical infirmities, avoiding use of the stairs to the second floor (14 steps) is very important. OF BALTIMORE COUNTY 9th District of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The residence has only two (2) bedrooms, both being on the second floor. The Owners respectfully request that the Zoning Commissioner permit establishment of a bedroom on the first floor, to be accomplished by enlargement of the present enclosed sunporch from 8' X 9½' to 15' X 19'. Addition of such a bedroom is urgently requested due to the fact that Owner James A. Gaffney (age 62) has previously had extensive varicose vein operations on both legs. In addition, Owner Mary Jane Gaffney (age 63) has a weakened left leg due to severe phlebitis. Because of these (continued on Attachment 1)

Property is to be posted and advertised as prescribed by Zoning Regulations. Case No. 84-149-A JAMES A. GAFFNEY, et ux, Petitioners :::::: The second second second ORDER TO ENTER APPEARANCE BALTIMORE COUNTY Mr. Commissioner: Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify ZONING PLANS I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary c. ral Order in connection therewith. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. ADVISORY COMMITTEE May Commercia Contract Purchaser: Legal Owner(s): John W. Hessian, III Peter Max Zimmerman lames A. Caffney People's Counsel for Baltimore County Deputy People's Counsel (Type or Print Name) (Type or Print Name) Rm. 223, Court House Towson, MD 21204 494-2138 Mary Jane Gaffney 1 HEREBY CERTIFY that on this 18th day of November, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. James A. Gaffney, 2921 Church Road, Attorney for Petitioner: Parkville, MD 21234, Petitioners. 2921 Church Road (301) 665-3293 CEIVED Parkville, Maryland 21234 Name, address and phone number of legal owner, contract purchaser or representative to be contacted James A. Gaffney PETITION AND SITE PLAN Attorney's Telephone No.: __2921_Church_Road__(301)_665-3293 ORDERED By The Zonin Commissioner of Baltimore County, this 11th day of _____October______, 1983____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore EVALUATION COMMENTS County, on the _____ 7th ____ day of __December ____, 19_83 , at __10:30 o'clock __A._M. يد يا ديو الأناه ويونه والانتهاب Section of the section of BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE Arnold Jablon, Zoning Commissioner Date October 26, 1983 STEPHEN E. COLLINS DIRECTOR HARRY J. PISTEL, P. E. DIRECTOR TO Office of Planning and Zoning November 14, 1983 BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 8, 1983 FROM Ian J. Forrest November 28, 1983 SUBJECT Zoning Variance Items Mr. Arnold Jablon Mr. Arnold Jablon Meeting - October 11, 1983 Zoning Commissioner Zoning Commissioner COUNTY OFFICE BLDG. Mr. & Mrs. James A. Gaffney County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204 County Office Building 2921 Church Road Towson, Maryland 21204 Towson, Maryland 21204 Parkville, Maryland 21234 Re: Item #85 (1983-1984) RE: Case No. 84-149-A (Item No. 85) Nicholas B. Commodari ZAC- Meeting of October 11, 1983. Property Owner: James A. & Mary J. Gaffney Petitioner - James A. Gaffney, et ux S/W corner School Poad and Church Road The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items. Chairman Variance Petition Property Owner: Acres: 75 X 125 District: 9th Location: Existing Zoning: Dear Mr. & Mrs. Gaffney: MEMBERS Dear Mr. Jablon: Proposed Zoning: Item #85 - James A. & Mary J. Gaffney The Zoning Plans Advisory Committee has reviewed the plans Bureau of The following comments are furnished in regard to the plat submitted to this Engineering submitted with the above referenced petition. The following comments office for review by the Zoning Advisory Committee in connection with the subject Department of Traffic Engineering are not intended to indicate the appropriateness of the zoning action Item #86 - Jerry & Vlasta Babicka requested but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing Item #87 - Twenty-First Century Properties General: on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of District: Item #91 - Midland Farms, Inc. Baltimore County highway and utility improvements exist and are not directly the requested zoning. Health Department Project Planning In view of your proposal to construct an addition to the existing Dear Mr. Jablon: Fillet areas for sight distance are required at the intersection of Church Building Department dwelling, this hearing is required. As indicated in my telephone conversation with Mrs. Gaffney, the petition forms were changed from the Board of Education The Department of Traffic Enigneering has no comments for original request. This was done because it was decided that the front Development of this property through stripping, grading and stabilization could Zoning Administration item numbers 85,86,87, and 91. of the existing dwelling is on School Road. result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, Development Enclosed are all comments submitted from the members of the including the stripping of top soil. Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, The Petitioner must provide necessary drainage facilities (temporary or I will forward them to you. Otherwise, any comment that is not permanent) to prevent creating any nuisances or damages to adjacent properties, Michael S. Flanigan informative will be placed in the hearing file. This petition was BUREAU OF ENVIRONMENTAL SERVICES especially by the concentration of surface waters. Correction of any problem accepted for filing on the date of the enclosed filing certificate Traffic Engineering Assoc. II which may result, due to improper grading or improper installation of drainage and a hearing scheduled accordingly. IJF/fth facilities, would be the full responsibility of the Petitioner. MSF/ccm Very truly yours, This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 85 (1983-1984). Tech dis B. Commoderifact NICHOLAS B. COMMODARI Zoning Plans Advisory Committee NBC:mch Bureau of Public Services cc: Purdum & Jeschke Enclosures RAM: EAM: FWR:ss 2415 Maryland Avenue Baltimore, Maryland 21218 N-NE Key Sheet 32 NE 15 Pos. Sheet

isa ta est

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of ______, 19_____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Commit e

RE: Property Owner: James A. and Mary J. Gaffney Location: School Road and Church Road

Item No.: 85

Zoning Agenda: Meeting of October 11, 1983

November 29, 1983

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at
- EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Provention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.
- REVIEWER: Cat Joseph My 11-39-13 Noted and Legacin Meanwell

 Planning Group Fire Prevention Bureau

 Special Inspection Division Planning troup Special Inspection Division

DAITIMORE COUNTY

CEPARIMENT OF PERMITS & LICENSES 10WSON MARYLAND 21204

AL, INZBIAS CET Mr. Arno'd Jablon, Zoning Commission Office of Planning and Zoning

County Office Building Towson, Maryland 21204

Comments on Item # 85 Zoning Advisory Committee Meeting are as follows: James A. & Mary J. Gaffney SW/Cor. School Road and Church Road

Existing Zoning: D.R. 5.5 Variance to permit a front yard setback of 15.5' in lieu of the required 30'.

Acres: 75 x 125 District: 9th.

- A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-
- B. A building to other miscellaneous permisshall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit
- application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. D. Commercial: Three sets of construction drawings with a Maryland Registered
- Architect or Engineer shall be required to file a permit application. 3. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section
- 1407 and Table 1402, also Section 503.2. F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,

Charles E. Burnham, Chief Plans Review

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 12, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: October 11, 1983

Property Owner Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond

The above mentioned item numbers have no adverse effect on student population.

> Wm. Nick Petrovich, Assistant Department of Planning

WNP/bp

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PETITIONER'S
EXHIBIT

Michael J. Gaffney, Esquire 119 East Fayette Street Baltimore, Maryland 21202

> IN RE: Petition Zoning Variance SW/corner of Church and School Roads - 9th Election District James A. Gaffney, et ux, Petitioners Case No. 84-149-A

Dear Mr. Gaffney:

I have this date passed my Order in the above-referenced matter in accord-

Sincerely,

December 9, 1983

ARNOLD JABLON Zoning Commissioner

AJ/srl Attachments

cc: John W. Hessian, III, Esquire People's Counsel

IN RE: PETITION ZONING VARIANCE SW/corner of Church and School Roads - 9th Election District * James A. Gaffney, et ux,

ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 84-149-A Petitioners *

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15.5 feet instead of the required 25 feet. The purpose of their request is to permit construction of an addition of a bedroom, which would require enlarging the existing enclosed sun porch from 8' x $9\frac{1}{2}$ ' to 15' x 19', as more fully described on Petitioners' Exhibit 1.

The Petitioners appeared and were represented by Counsel. James A. Gaffney testified. There were no Protestants.

Counsel proffered that the single-family dwelling owned by the Petitioners is a two-story, two-bedroom home. The property is a corner lot with the front of the residence facing School Road and the side to Church Road, although the mailing address is Church Road. The Petitioners wish to expand into and from the existing sun porch in order to create a bedroom on the first floor where resently exists. Both Mr. and Mrs. Gaffney are ailing and find it diffid dangerous to use the stairs leading to the second floor of their home. affney suffers from severe varicose veins and has had operations on both legs, while Mrs. Gaffney suffers from severe phlebitis and has a weakened left leg. Due to these physical impairments, the Petitioners seek this variance in order to allow them to use the first floor of their home for living quarters, thereby eliminating the need to use the second floor. A bathroom already exists or he first floor. It would not be possible and/or feasible to expand elsewhere because a variance would also be required to expand in the front, a kitchen porch and basement entrance already exist in the rear, and expansion on the opposite side would usurp the existing driveway and create a severe grading problem. On that side, there is at least a six-foot drop from the first floor which would require grading.

The addition would increase the value of the home and conform to the neighborhood since similar additions have been built onto other nearby homes.

- The Petitioners seek relief from Section 1802.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).
- An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:
 - 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily
 - 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
 - whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.
- de pro v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).
- is clear from the testimony that if the variance were to be granted, ich Euse as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good. After due consideration of the testimony and evidence presented, it is

cledr that a practical difficulty or unreasonable hardship would result 'f the instant variance were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use

MICROFILLIZ _

MICROFILMED

BALTIMORE COUNTY, MARYLAND PETITION FOR VARIANCE of the land due to the special conditions unique to this particular parcel INTER-OFFICE CORRESPONDENCE Zoning Description 9th Election District In addition, the variance requested will not be detrimental to the public Arnold Jablon Situated at the intersection of Church and School Rds. ZCNING: Petition for Variance November 15, 1983 health, safety, and general welfare. Beginning on the south side of Church Rd., at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west Norman E. Gerber, Director Pursuant to the advertisement, posting of the property, and public hear-LOCATION: Southwest corner of Church and School Roads Office of Planning and Zoning of the centerline of School Rd. Being Lot No. 66 as shown on ing on this Petition held, and for the reasons given above, the variance re-DATE & TIME: Wednesday, December 7, 1983 at 10:30 A.M. the Revised Plat of Parkville Summit, which Plat is dated Sept. James A. Gaffney, et ux SUBJECT___84-149-A quested should be granted. 29, 1938 and recorded among the Land Records of Baltimore County PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Avenue, Towson, Maryland Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, Church Road in the ninth election district. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act day of December, 1983, that the Petition for Variance to permit and Regulations of Baltimore County, will hold a public hearing: There are no comprehens planning factors requiring comment on a side yard setback of 15.5 feet instead of the required 25 feet be and is here-Petition for Variance to permit a side yard setback of 15.5 ft. by GRANTED, from and after the date of this Order, subject to the following: instead of the required 25 ft. 1. The Petitioners may apply for their building permit The Zoning Regulation to be excepted as follows: and be granted same upon receipt of this Order; Section 1B02.3. C.1 - side yard setback in D.R. 5.5 zone Director of Planning and Zoning All that parcel of land in the Ninth District of Baltimore County this Order has expired. If, for whatever reason, NEG:JGH:cav this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition. Baltimore County Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF 84-149-A ARNOLD JABLON PETITION FOR VARIANCE the Election District ZONING COMMISSIONER CERTIFICATE OF PUBLICATION Like San Assis OF BALTIMORE COUNTY ZONING: Petition for Variance LOCATION: Southwest corner of Church and School Roads DATE & TIME: Wednesday Decem-her 7, 1983 at 10:30 A.M. - 3 -PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland TOWSON, MD., ______November 17_, 1983__ The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows:
Section 1802.8.C.1 — side yard setback in D.R. 5.5 sone.

All that percel of land in the Ninth District of Baltimore County Situated at the intersection of Church and School Rds. Beginning on the south side of Church Rd., at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated September 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district.

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is THIS IS TO CERTIFY, that the annexed advertisement was November 8, 1983 PETITION MAPPING PROGRESS SHEET published in THE JEFFERSONIAN, a weekly newspaper printed BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 and published in Towson, Baltimore County, Md., once his week Wall Map Original Duplicate Tracing 200 Sheet **FUNCTION** Mr. & Mrs. James A. Gaffney date by date by date by date by 2921 Church Road Baltimore, Maryland 21234 Descriptions checked and day of ______ December___, 19_83__, the first publication ARNOLD JABLON ZONING COMMISSIONER outline plotted on map NOTICE OF HEARING appearing on the 17th day of _____November__ Re: Petition for Variance Petition number added to SW/corner of Church & School Rds. November 22, 1983 James A. Gaffney, et ux - Petitioners THE JEFFERSONIAN, Case No. 84-149-A Denied Mr. & Mrs. James A. Gaffney 2921 Church Road TIME: _10:30 A.M. Granted by Cost of Advertisement, \$ 22.75 ment.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner of Baltimore County
Nov. 17. Baltimore, Maryland 21234 ZC, BA, CC, CA DATE: Wednesday, December 7, 1983 Re: Petition for Variance Revised Plans: PLACE: Room 106, County Office Building, 111 West Chesapeake SW/corner of Church & School Roads Reviewed by: Change in outline or description___Yes James A. Gaffney, et ux - Petitioners Case No. 84-149-A Avenue, Towson, Maryland Map # 3C Previous case: Dear Mr. & Mrs. Gaffney: Iten#85 This is to advise you that __\$55.68 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. 84-149-A Please make the check payable to Baltimore County, Maryland, and Mr. & Mrs. James A. Gaffner oct Purdum & Jeschke remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, 2921 Church Road 2415 Maryland Avenue Towson, Maryland 21204, before the hearing. Parkville, Maryland 21234 Baltimore, Maryland 21218 CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Zoning Commissioner County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 of Baltimore County Date of Posting 11/20/83 ARNOLD JABLON Zoning Commissioner BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARYLAND for Warmen OFFICE OF FINANCE - REVENUE DIVISION No. 121573 OFFICE OF FINANCE - REVENUE DIVISION Your petition has been received and accepted for filing this lith day of October . 1983. MISCELLANEOUS CASH RECEIPT No. 122991 MISCELLANEOUS CASH RECEIPT _ACCOUNT_01-6/5-000 __ACCOUNT_R-01-615-000 interrection of Cleaned & FROM: James A. Gaffney Zoning Commissioner James A. Gaffney, et mx Received by Micholas B. Commodari FOR: Advertising & Posting Case \$84-149-A Petitioner' Chairman, Zoning Plans Advisory Committee Attorney. 6 G16******356680 5278A Number of Signs: 6 833*****55£810 F294A VALIDATION OR SIGNATURE OF CASHIER

ica (3 mil

Petition For **Variance**

THELECTION
DISTRICT
ZONING: Petition for

Variance LOCATION: Southwest corner of Church and School Roads

DATE & TIME; Wednesday, Dec. 7, 1983 at

10:30 a.m.
PUBLIC HEARING:
Room 106, County Office
Building, 111 W. Chesapeaks Avenue, Towson, Maryland.

The Zoning Commis-sioner of Baltimore County, by authority of the Zoning Act and Regula-tions of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 15.5 ft. instead of the re-

quired 25 ft.
The Zoning Regulation to be excepted as follows:
Section 1B02.3.C.1 - side yard setback in D.R. 5.5

All that parcel of land in the Ninth District of Baltimore County. Situated at the intersec-

tion of Church and School Rds. Beginning on the south side of Church Rd. at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Rd. in the ninth election district.

Being the property of James A. Gaffney, et uz, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hear-

> By Order Of Zoning Commissioner Of Baltimore County

Uge Times

Middle River, Md., 2001.17 19 8 3

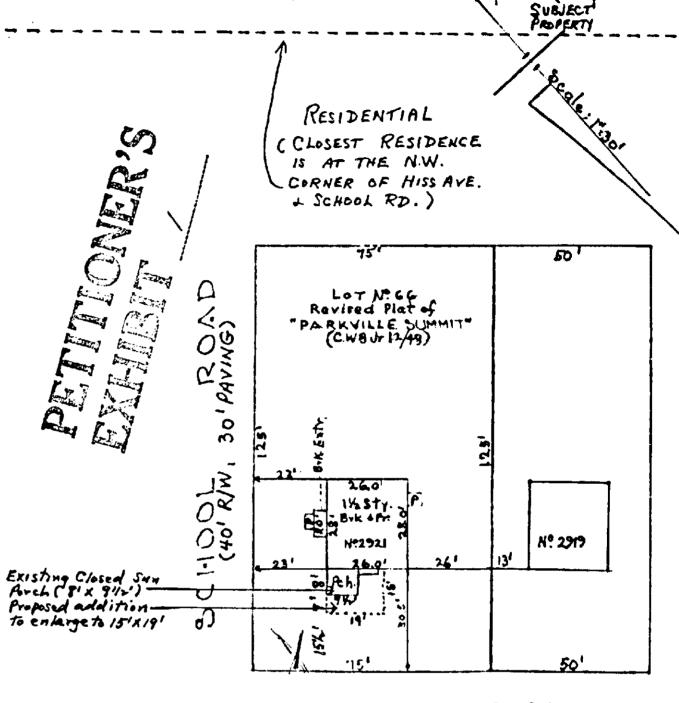
This is to Certify, That the annexed

was inserted in Ole Times, a newspaper printed and published in Baltimore County, once in each

one successive

weeks before the

Publisher.



HISS AV

CHURCH ROAD (50' R/W, 30' PAVING)

PLAT FOR ZONING YARIANCE OWNERS: JAMES A. & MARY JANE GAFFHEY

ELECTION DISTRICT 9

VICINITY MAP

SUBDIVISION: PARKVILLE SUMMIT LOT NO. 66, PLAT BOOK C.W.B. JR. NO. 12, FOLIO 48. EXISTING FACILITIES IN CHURCH & SCHOOL ROADS.

SCALE: 1" = 30'

This is to certify that I have surveyed the property known as:

Nº 2921 Church Road, Baltimore County, Maryland - 21234

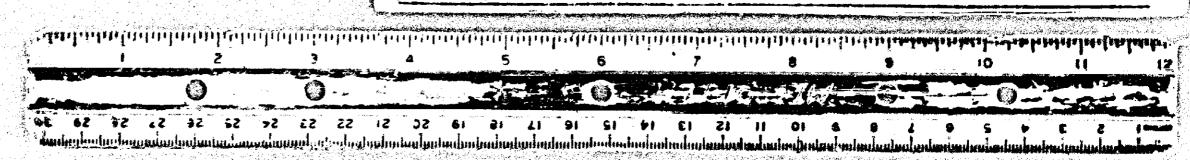
for the purpose of locating the improvements tolered and the improvements are located as shown.

Signed this Zi Laday of Navaraly 1957

PURDUM AND JESCHKE ENGINEEPS AND LAND SUBJEYORS 2415 MARYLAND AVENUE

BALTIMORE 18, MARYLAND

This plat is not intended for use in the establishment of property lines



TO THE ZOI	PETITION FOR ZONING VARIANCE 84-149-A			
The und described in	ersigned, legal owner(s) of the property situate in Baltimore County and which is the description and plat attached hereto and made a part hereof, hereby petition for a			
variance from back of 15	Section 1 BQ 2, 3.C. 1 to permit a side yard set-			
of the Zoning following real The ref	Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the sons: (indicate hardship or practical difficulty) esidence has only two (2) bedrooms, both being on the second The Owners respectfully request that the Zoning Commissioner establishment of a bedroom on the first floor, to be accompably enlargement of the present enclosed supporch from 8', y 01.	physical infirmities, avoiding use of the stairs to the second floor (14 steps) is very important.	RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER SW Corner of Church & School Rds. 9th District : OF BALTIMORE COUNTY JAMES A. GAFFNEY, et ux, : Case No. 84-149-A Petitioners	BALTIMORE COUNTY
to 15' to the extens Mary J	X 19'. Addition of such a bedroom is urgently requested due fact that Owner James A. Gaffney (age 62) has previously had sive varicose vein operations on both legs. In addition, Owner ane Gaffney (age 63) has a weakened left leg due to severe		ORDER TO ENTER APPEARANCE Mr. Commissioner:	ZONING PLANS
110pe113	is to be posted and advertised as prescribed by Zoning Regulations. agree to pay expenses of above Variance advertising, posting, etc., upon filing of this further agree to and are to be bound by the zoning regulations and restrictions of inty adopted pursuant to the Zoning Law For Baltimore County,		Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify	ADVISORY COMMITTEE
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.		me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.	
	Legal Owner(s): James A. Gaffney ILECTION Type or Print Name) Signature Legal Owner(s): MAP: 2C LECTION LECTION DISTRICT: THE		Peter Max Zimmerman Deputy People's Counsel John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House	
City and State	Petitioner:	58 # 4-5H1-h8	Towson, MD 21204 494-2138 I HEREBY CERTIFY that on this 18th day of November, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. James A. Gaffney, 2921 Church Road,	
(Type of Pri	2921 Church Road (301) 665-3293 Address Phone No. Parkville, Maryland 21234 City and State		Parkville, MD 21234, Petitioners.	
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted James A, Gaffney		John W. Hessian, III	PETITION AND SITE PLAN
Attorney's Tel	ephone No.:	James SW/c		EVALUATION COMMENTS
ofOct required by th out Baltimore	ober, 12 3, that the subject matter of this petition be advertised, as e Zoning Law of Baltimore County, in two newspapers of general circulation through-County, that property be posted, and that the public hearing be had before the Zoning of Baltimore County in Room 106, County Office Building in Towson, Baltimore	A. Gaff.		
Commingatoffet	of Batthrore County in Room 106, County Office Building in Towson, Baltimore			
County, on the	7th day ofDecember, 19_83 , at10:30 o'clock	h and t		
County, on the	7th day of December , 19 83 , at 10:30 o'clock Zoning Commissioner of Baltimore County.	y, et ux 84-149 h and School Ro 9th		
County, on the	7th day of December 19.83, at 10:30 o'clock			BALTIMORE COUNTY, MARYLAND
County, on the	7th day of December , 19 83 , at 10:30 o'clock Zoning Commissioner of Baltimore County.			INTER-OFFICE CORRESPONDENCE
County, on the	7th day of December , 19 83 , at 10:30 o'clock Zoning Commissioner of Baltimore County.	149-A Roads 9th		Arnold Jablon, Zoning Commissioner TO_Office of Planning and Zoning DateOctober 26, 1983 FROM
County, on the	Zoning Commissioner of Baltimore County. (over) Output			Armold Jablon, Zoning Commissioner TO_Office of Planning and Zoning Date_October 26, 1983
BALTIMO	Zoning Commissioner of Baltimore County. (over) ORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 28, 1983 Mr. & Mrs. James A. Gaffney 2921 Church Road	BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY 1 PISTEL, P. E. DIRECTOR November 8, 1983 Mr. Arnold Jablon Zoning Commissioner	BALTIMORE COUNTY DEPARTMENT OF IRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550 STEPHEN E. COLLINS November 14, 1983 Mr. Arnold Jablon Zoning Commissioner	Arnold Jablon, Zoning Commissioner TO Office of Planning and Zoning FROM Ian J. Forrest SUBJECT Zoning Variance Items Meeting - October 11, 1983 The Baltimore County Department of Health has reviewed
BALTIMO	Zoning Commissioner of Baltimore County. (over) RE COUNTY ZONING PLANS ADVISORY COMMITTEE November 28, 1983	BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. DIRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Item #85 (1983-1984) Re: Item #85 (1983-1984) Re: Item #85 (1983-1984)	BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550 STEPHEN E. COLLINS November 14, 1983 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Item No. (8),86,87,91 ZAC- Meeting of October 11, 1983.	Arnold Jablon, Zoning Commissioner TO Office of Planning and Zoning FROM Ian J. Forrest SUBJECT Zoning Variance Items Meeting - October 11, 1983 The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items. Item 85 - James A. & Mary J. Gaffney
BALTIMO COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 000 Nicholas B. Commodari	Zoning Commissioner of Baltimore County. (over) Zoning Commissioner of Baltimore County. (over) Zoning Commissioner of Baltimore County. (over) November 28, 1983 Mr. & Mrs. James A. Gaffney 2921 Church Road Parkville, Maryland 21234 RE: Case No. 84-149-A (Item No. 85) Petitioner - James A. Gaffney, et ux Variance Petition Dear Mr. & Mrs. Gaffney: The Zoning Plans Advisory Committee has reviewed the plans The Zoning Plans Advisory Committee has reviewed the plans	BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. DIRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Item #85 (1983-1984) Property Owner: James A. & Mary J. Gaffney S/W corner School Road and Church Road Acres: 75 X 125 District: 9th Dear Mr. Jablon:	BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550 STEPHEN E. COLLINS DIRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204	Arnold Jablon, Zoning Commissioner TO_Office of Planning and Zoning FROMIsn_J. Forrest SUBJECTZoning Variance Items Meeting = October 11, 1983 The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items. Item #85 - James A. & Mary J. Gaffney Item #86 - Jerry & Vlasta Babicka Item #87 - Twenty-First Century Properties
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COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 000 Nicholas B. Commodari Chairman MEMBERS Bureau of Engineering Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention Health Department Project Planning	Zoning Commissioner of Baltimore County. (over) November 28, 1983 Mr. & Mrs. James A. Gaffney 2921 Church Road Parkville, Maryland 21234 RE: Case No. 81-119-A (Item No. 85) Petitioner - James A. Gaffney, et ux Variance Petition Dear Mr. & Mrs. Gaffney: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. In view of your proposal to construct an addition to the existing In view of your proposal to construct an addition to the existing	DALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY I PISTEL P. E. DRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Item #85 (1983-1984) Property Owner: James A. & Mary J. Gaffney S/W corner School Road and Church Road Agres: 75 x 125 District: 9th Dear Mr. Jablon: The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General: Baltimore County highway and utility improvements exist and are not directly involved.	BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550 SIEPHEN E. COLUNS November 14, 1983 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Item No. 8,86,87,91 Property Owner: Location: Existing Zoning: Proposed Zoning: Acres: District:	Arnold Jablon, Zoning Commissioner TO_Office of Planning and Zoning FROMIsn_J. Forrest SUBJECTZoning Variance Items Meeting = October 11, 1983 The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items. Item #85 - James A. & Mary J. Gaffney Item #86 - Jerry & Vlasta Babicka Item #87 - Twenty-First Century Properties
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cc: Purdum & Jeschke 2415 Maryland Avenue Baltimore, Maryland 21218

RAM:EAM:FWR:ss

N-NE Key Sheet 32 NE 15 Pos. Sheet NE 8 D Topo 71 Tax Map

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204
ARNOLD JABLON ZONING COMMISSIONER
November 22, 1983
Mr. & Mrs. James A. Gaffney 2921 Church Road Baltimore, Maryland 21234
Re: Petition for Variance SW/corner of Church & School Roads James A. Gaffney, et ux - Petitioners Case No. 84-149-A
Dear Mr. & Mrs. Gaffney:
This is to advise you that\$55.68 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.
Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.
Sincerely,
ARNOLD JABBON Zoning Commissioner
MORE COUNTY, MARYLAND OF FINANCE - REVENUE DIVISION ELLANEOUS CASH RECEIPT No. 122991
11/29/83 ACCOUNT_R-01-615-000
AMOUNT \$55.68
Advertising & Posting Case #84-149-A
C 033*****55p8:b F293A
VALIDATION OR SIGNATURE OF CASHIER

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it

appearing that strict compliance with the Baltimore County Zoning Regulations would/would not

result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of

the variance(s) requested will/will not adversely affect the health, safety, and general welfare of

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

day of ______, 19_____, that the herein Petition for Variance(s) to permit

the community, the variance(s) should /should not be granted.

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/mb	4,	1.4		
		Special Inspection Div	Fire Prevention ision	Bureau
REVI			2. A	
·				s time.
	6.	to occupancy.	•	, o Builton piloi
(30)	5.	comply with all applica	ble requirements of the Nati	onal Fire Protection
()	4.	The site shall be made fire Prevention Code pr	to comply with all applicab ior to occupancy or beginnin	le parts of the ng of operation.
		EXCEEDS the maximum all	owed by the Fire Department.	•
()	3.	The vehicle dead end co	ndition shown at	
()	2.	A second means of vehic	le access is required for th	he site.
()	1,	located at intervals or accordance with Baltimo	feet along an approvence County Standards as publ	ed road. in
to 1	be co	rrected or incorporated	into the final plans for th	e property.
Purs	su an t	to your request, the re	eferenced property has been	surveyed by this
Cen i		•	coning Agenda: Mee	eting of October 11,
				- A. O
KE:			•	
		Zoning Plans Advisor	ry Committee	
Zon. Off. Bal Tow.	ing (ice (timo) son,	Commissioner of Planning and Zoning e County Office Building Maryland 21204		
PAUL CHIE	. H. R F	EINCKE	November 29.	1983
	'/ TC	KE DEPARTMENT DVSON MARYLAND 21204-250 24-4500	56	
	CHIE Kr. Zonf Bal Tow Att RE: Gen: () () () () () ()	CHIEF Kr. Will Zoning () Office () Baltimon Towson, Attention RE: Pro Loc Ite Gentleme Pursuant Bureau atto be con () 1. () 2. () 3. () 4. (XC) 5. () 6. () 7. REVIEWER	PAUL H. REINCKE CHIEF Kr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimole County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Char Zoning Plans Advisor RE: Property Owner: James A Location: School Road an Item No.: 85 Gentlemen: Pursuant to your request, the re Bureau and the comments below ma to be corrected or incorporated () 1. Fire hydrants for the re located at intervals or accordance with Baltimo Department of Public Wo () 2. A second means of vehic () 3. The vehicle dead end con EXCEEDS the maximum all () 4. The site shall be made fire Prevention Code pr (X) 5. The buildings and struct comply with all applicat Association Standard No to occupancy. () 6. Site plans are approved () 7. The Fire Prevention Bure REVIEWER: Attack H. James 1979 Planning Group	CHEF November 29, Kr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimote County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Chairman

December 9, 1983

IN RE: Petition Zoning Variance

Case No. 84-149-A

Petitioners

Zoning Commissioner

I have this date passed my Order in the above-referenced matter in accord-

SW/corner of Church and School Roads - 9th Election District James A. Gaffney, et ux,

Michael J. Gaffney, Esquire

119 East Fayette Street Baltimore, Maryland 21202

Dear Mr. Gaffney:

AJ/srl

Attachments

ance with the attached.

cc: John W. Hessian, III, Esquire

People's Counsel

DAIT MORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWNSON MARYLAND 21204 TED ZAIESKI JR DIRECTOR Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County fice Building Towson, Maryland 21204 Comments on Item # 85 Zoning Advisory Committee Resting are as follows: Property Owner: James A. & Mary J. Gaffney Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 5.5 Acres: 75 x 125 District: 9th. The items checked below are applicable: 1407 and Table 1402, also Section 503.2. a professional seal. struction classification of Table 401. I. Comments Charles E. Burnham, Chief

Robert Y. Dubel, Superintendent SW/Cor. School Road and Church Road Mr. William E. Hammond Zoning Commissioner Variance to permit a front yard setback of 15.5 Baltimore County Office Building in lieu of the required 30'. 1111 West Chesapeake Avenue Towson, Maryland 21204 Z.A.C. Meeting of: October 11, 1983 A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-B. A building to other permissimal be required before beginning construction. Property Owner Location: C. Residential: Three sets of construction drawings are required to file a permit Present Zoning: application. Architect/Engineer seal js/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. Proposed Zoning: D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application. E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group.of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section F. Requested variance appears to conflict with the Baltimore County Building Code, District: G. A change of occupancy shall be applied for, along with an alteration permit No. Acres: application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require Dear Mr. Hammond: H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to The above mentioned item numbers have no adverse effect on student this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required conpopulation. Very truly yours These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Wm. Nick Petrovich, Assistant Department of Planning

Towson, Maryland - 21204

Date: October 12, 1983

(10 When it may concern:

My Jemes A. Saffney Res a

long history of Varnose Veris for

whis I had Sugary in 1964. He

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BALTIMORE COUNTY PUBLIC SCHOOLS

PETITIONER'S
EXHIBIT

November 8, 1983

Mr. & Mrs. James A. Gaffney 2921 Church Road Baltimore, Maryland 21234

NOTICE OF HEARING Re: Petition for Variance SW/corner of Church & School Rds. James A. Gaffney, et ux - Petitioners Case No. 84-149-A

TIME: 10:30 A.M. DATE: Wednesday, December 7, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION SCELLANEOUS CASH RECEIPT

No. 121573

COUNT 01-6/5-000 AMOUNT 35.00

6 616******35p610 6276A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND IN RE: PETITION ZONING VARIANCE * because a variance would also be required to expand in the front, a kitchen of the land due to the special conditions unique to this particular parcel SW/corner of Church and School INTER-OFFICE CORRESPONDENCE ZONING COMMISSIONER Roads - 9th Election District * porch and basement entrance already exist in the rear, and expansion on the In addition, the variance requested will not be detrimental to the public Arnold Jablon OF BALTIMORE COUNTY James A. Gaffney, et ux, opposite side would usurp the existing driveway and create a severe grading TO Zoning Commissioner health, safety, and general welfare. Case No. 84-149-A Petitioners * problem. On that side, there is at least a six-foot drop from the first floor Norman E. Gerter, Director Pursuant to the advertisement, posting of the property, and public hear-FROM Office of Planning and Zoning which would require grading. ing on this Petition held, and for the reasons given above, the variance re-James A. Gaffney, et ux * * * * * * * * * * The addition would increase the value of the home and conform to the neighquested should be granted. FINDINGS OF FACT AND CONCLUSIONS OF LAW borhood since similar additions have been built onto other nearby homes. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, The Petitioners seek relief from Section 1802.3.C.1., pursuant to Section The Petitioners herein request a variance to permit a side yard setback of this q^+ day of December, 1983, that the Petition for Variance to permit 307, of the Baltimore County Zoning Regulations (BCZR). 15.5 feet instead of the required 25 feet. The purpose of their request is to There are no comprehensive planning factors requiring comment on a side yard setback of 15.5 feet instead of the required 25 feet be and is herethis petition. An area variance may be granted are strict application of the zoning permit construction of an addition of a bedroom, which would require enlarging by GRANTED, from and after the date of this Order, subject to the following: regulation to the petitioner and his property would cause practical difficulthe existing enclosed sun porch from 8' x 9½' to 15' x 19', as more fully de-1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; ty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for scribed on Petitioners' Exhibit 1. however, Petitioners are hereby made aware that an area variance, the Petitioner must meet the following: The Petitioners appeared and were represented by Counsel. James A. Gaffney this Order has expired. If, for whatever reason, NEG:JGH:cav 1. whether strict compliance with requirement would testified. There were no Protestants. this Order is reversed, the Petitioners would be unreasonably prevent the use of the property for a required to return, and be responsible for returning, permitted purpose or render conformance unnecessarily Counsel proffered that the single-family dwelling owned by the Petitioners said property to its original condition. is a two-story, two-bedroom home. The property is a corner lot with the front whether the grant would do substantial injustice to applicant as well as other property owners in the of the residence facing School Road and the side to Church Road, although the district or whether a lesser relaxation than that applied for would give substantial relief; and mailing address is Church Road. The Petitioners wish to expand into and from whether relief can be granted in such fashion that the existing sun porch in order to create a bedroom on the first floor where the spirit of the ordinance will be observed and mone presently exists. Both Mr. and Mrs. Gaffney are ailing and find it diffipublic safety and welfare secured. cult and dangerous to use the stairs leading to the second floor of their home. Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). Caffney suffers from severe varicose veins and has had operations on both ; is clear from the testimony that if the variance were to be granted, legs, while Mrs. Gaffney suffers from severe phlebitis and has a weakened left such such such as proposed would not be contrary to the spirit of the regulations leg. Due to these physical impairments, the Petitioners seek this variance in and would not result in substantial detriment to the public good. After due consideration of the testimony and evidence presented, it is ordersto allow them to use the first floor of their home for living quarters, clear that a practical difficulty or unreasonable hardship would result if the thereby eliminating the need to use the second floor. A bathroom already exists ant variance were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use - 2 -- 3 -84-149-A PETITION FOR VARIANCE 9th Election District PETITION FOR VARIANCE ZONING: Petition for Variance LOCATION: Southwest corner of Church and School Roads DATE & TIME: Wednesday Decsm-ber 7, 1983 at 10:30 A.M. Zoning Description 9th Election District CERTIFICATE OF POSTING Situated at the intersection of Church and School Rds. ZONING DEPARTMENT OF BALTIMORE COUNTY PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapenke Avenue, Towsen, Maryland ZONING: Petition for Variance Beginning on the south side of Church Rd., at the distance of The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows:
Section 1802.3.C.1 — side yard setback in D.R. 5.5 sons.

All that parcel of land in the Minth District of Baltimore County Situated at the intersection of Church and School Rds. Beginning on the south side of Church R4. at the distance of 19 feet mouth of the centerline of Church R4. and 19 feet west of the centerline of School Rd. Being Lot No. 65 as shown on the Revised Plat of Parkville Summit, which Plat is dated September 29, 1988 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, follo 65, Also known as 2921 Church Road in the ninth election district.

Being the property of James A. Gaffney, et ux, as shown on plat land with the Zoning Department.

In the event that this Petition in 19 feet south of the centerline of Church Rd. and 19 feet west LOCATION: Southwest corner of Church and School Roads of the centerline of School Rd. Peing Lot No. 66 as shown on Wednesday, December 7, 1983 at 10:30 A.M. DATE & TIME: the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft. The Zoning Regulation to be excepted as follows: Section 1B02. 3. C. 1 - side yard setback in D.R. 5.5 zone All that parcel of land in the Ninth District of Baltimore County Mr. & Mrs. James A. Gaffney

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

oct Purdum & Jeschke 2015 Maryland Avenue Baltimore, Maryland 21218 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this lith day of October , 1983.

A CONTROL OF THE PARTY OF THE P

CERTIFICATE OF PUBLICATION TOWSON, MD., ________November 17_, 1983__ THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once the cache day of ______ December___, 19_83_, the first publication appearing on the __17th_____ day of _____November___ 19_83_ ment.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set shows or made at the hearing.

By Order Of

ARNOLD JABLON,

Zoning Commissioner Cost of Advertisement, \$ 22.75

November 15, 1983

PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate Tracing 200 Sheet date by date by date by **FUNCTION** Descriptions checked and outline plotted on man Petition number added to outline Denied Granted by ZC, BA, CC, CA Reviewed by: UCC Revised Plans: Change in outline or description___Yes Previous case: Map # 30

Iten #55

Petitioner

Attorney

Petitioner's

Chairman, Zoning Plans

Advisory Committee

Zoning Commissione

James A. Caffney, et ux Received by Micholas B. Commodari

2921 Church Road

Parkville, Maryland 21234

the Zoning Department.

Petition For Variance |

9TH ELECTION
DISTRICT
ZONING: Petition for

Variance LOCATION: Southwest corner of Church and School Roads

DATE & TIME: Wednesday, Dec. 7, 1983 at

10:30 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to

permit a side yard setback of 15.5 ft. instead of the re-

quired 26 ft.

The Zoning Regulation to be excepted as follows: Section 1B02.3.C.1 - side yard setback in D.R. 5.5

All that parcel of land in the Ninth District of Baltimore County.
Situated at the intersec-

tion of Church and School Rds. Beginning on the south side of Church Rd. at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept.
29, 1938 and recorded
among the Land Records
of Raltimore County in
Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Rd. in the ninth election district.

Being the property of James A. Gaffney, et ux, ss shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuanceof said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hear-

By Order Of Arneid Jablea Zoning Commissioner Of Baltimore County

Qe Times

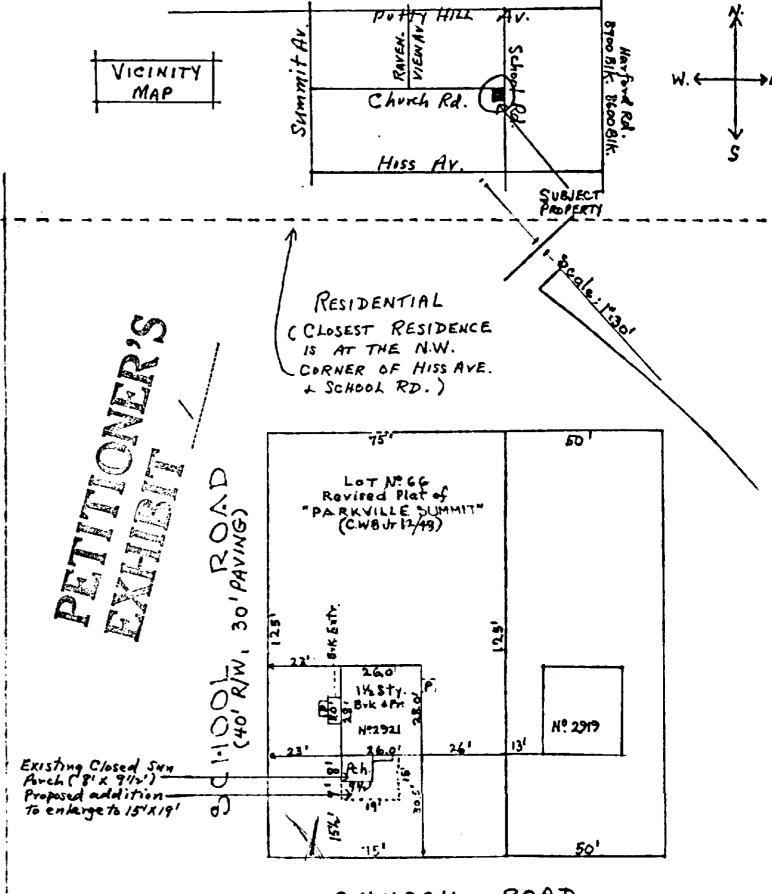
This is to Certify, That the annexed

was inserted in Ole Times, a newspaper printed and published in Baltimore County, once in each

> me successive

weeks before the





ROAD CHURCH (50' R/W, 30' PAVING)

PLAT FOR ZONING YARIANCE

OWNERS: JAMES A. & MARY JANE GAFFNEY

ELECTION DISTRICT 9

SUBDIVISION: PARKVILLE SUMMIT LOT NO. 66, PLAT BOOK C.W.B. JR. NO. 12, FOLIO 48. EXISTING FACILITIES IN CHURCH & SCHOOL ROADS.

SCALE: 1" = 30'

This is to certify that I have surveyed the property known as:

Nº 2921 Church Road, Baltimore County, Maryland - 21234

Signed this 24 day of Navaraly 1957

PURDUM AND JESCHKE ENGINLEPS AND LAND SURVEYORS

2415 MARYLAND AVENUE BALTIMORE TE, MARYLAND Mom 415

This plat is not intended for use in the establishment of property lines

